

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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PIERRE KORY, M.D., BRYAN TYSON,
M.D., LETRINH HOANG, D.O.,
PHYSICIANS FOR INFORMED
CONSENT, a not-for-profit
corporation, and CHILDREN'S
HEALTH DEFENSE, a not-for-
profit corporation,

Plaintiffs,

v.

ROB BONTA, in his official
capacity as Attorney General of
California, REJI VARGHESE, in
his official capacity as
Executive Director of the
Medical Board of California,
ERIKA CALDERON, in her official
capacity as Executive Officer
of the Osteopathic Medical
Board of California,

Defendants.

No. 2:24-cv-00001 WBS AC

ORDER RELATING CASES

No. 2:24-cv-01138 TLN CSK

KELLY MCCANN, M.D.,
Plaintiff,

v.

RANDY W. HAWKINS, M.D.,
President Medical Board of
California; LAURIE ROSE
LUBIANO, J.D., Vice President
Medical Board of California;
JAMES M. HEALZER, M.D.,
Secretary Medical Board of
California, MICHELLE ANNE
BHOLAT, M.D., MPH; HEMANT
DHINGRA, M.D.; NICOLE A. JEONG,
J.D.; KRISTINA D. LAWSON, J.D.;
ASIF MAHMOOD, M.D.; RICHARD E.
THORP, M.D.; VELING TSAI, M.D.
ESERICK WATKINS; FELIX C. YIP,
M.D., all in their official
capacity as officers and
appointed members of the
California Medical Board;
CASSANDRA SAILEY, investigator
California Department of
Consumer Affairs; JOSEPH
VAUGHN, Supervising
Investigator II, California
Department of Consumer Affairs
In their official capacities,

Defendants.

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Examination of the above-entitled actions reveals that they are related within the meaning of Local Rule 123(a), because they each involve constitutional challenges to the power of the California medical boards to investigate and discipline physicians under Cal. Bus. & Prof. Code § 2234 for the provision of COVID-19-related information and/or advice to patients. Accordingly, the assignment of the matters to the same judge is likely to effect a substantial saving of judicial effort and is


1 also likely to be convenient for the parties.

2 The parties should be aware that relating the cases
3 under Local Rule 123 merely has the result that both actions are
4 assigned to the same judge; no consolidation of the actions is
5 effected. Under the regular practice of this court, related
6 cases are generally assigned to the judge and magistrate judge to
7 whom the first filed action was assigned.

8 IT IS THEREFORE ORDERED that the actions denominated
9 Kory v. Bonta, 2:24-cv-00001 WBS AC, and McCann v. Hawkins, 2:24-
10 cv-01138 TLN CSK, be, and the same hereby are, deemed related.
11 The case denominated McCann v. Hawkins, 2:24-cv-01138 TLN CSK,
12 shall be reassigned to the Honorable WILLIAM B. SHUBB. Any dates
13 currently set in the reassigned case only are hereby VACATED.
14 Henceforth, the captions on documents filed in the reassigned
15 case shall be shown as McCann v. Hawkins, 2:24-cv-01138 WBS AC.

16 IT IS FURTHER ORDERED that the Clerk of the Court make
17 an appropriate adjustment in the assignment of cases to
18 compensate for this reassignment.

19 Dated: June 24, 2024


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE